

Attorney Docket No.: 9052-88

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Findlay
Serial No.: 09/913,522
Filed: November 8, 2001
For: *MODIFIED CALYCINS*

Confirmation No. 9501

May 16, 2006

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RENEWED PETITION UNDER 37 C.F.R. § 1.181

Legal Staff
International Division

Sir/Madam:

Petitioner respectfully submits this Renewed Petition Under 37 C.F.R. § 1.81 responsive to the Decision on Petition Under 37 C.F.R. § 1.81 dated 16 March 2006 (hereinafter, "Decision").

Petitioner respectfully requests reconsideration of the Petitioner's previously submitted Petition to Withdraw Holding of Abandonment under 37 C.F.R. § 1.181(a) (hereinafter, "Petition") for the above-referenced application and withdrawal of the dismissal of the Petition and holding of abandonment for at least the reasons previously made of record and further in view of the reason set forth below.

In the discussion section of the Decision, it is stated that "[t]he above-identified application was abandoned for failure to file a complete response to the Notification of Missing Requirements mailed 27 February 2002, in that, the sequence listing in computer readable form had not been submitted within the period set therein. . . . In this case, the Notification of Missing Requirements was mailed on 27 February 2002, therefore, Applicants were required to submit a response by 27 April 2002." Applicant filed a response to the Notification of Missing Requirements on April 29, 2002 with a Certificate of Mailing indicating that the correspondence was deposited with the United States Postal Service as first class mail on April 29, 2002. Petitioner notes that April 27, 2002 was a Saturday. Therefore, Applicant's response filed on the next succeeding business day, i.e., Monday, April 29, 2002, was timely filed. See Manual of Patent Examining Procedure §§ 505, 512 and 710.05.

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At least in view of the foregoing, Petitioner respectfully requests a Withdrawal of the Notice of Abandonment. The USPTO is encouraged to contact the undersigned attorney by telephone should any further matters need to be addressed.

Petitioner believes that no fee is due. However, the Commissioner is authorized to charge any deficiency, or credit any overpayment, to Deposit Account No. 50-0220.

Respectfully Submitted,



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Typed Name of Person Signing Certificate: Sarah E. Abraham

May 16, 2006
Date of Signature